

# ENVIRONMENTAL ASSESSMENT TITLE PAGE

To determine the feasibility of acquiring portions of the old townsite of Ruby, for the protection and enhancement of anadromous fishery values in Salmon Creek.

**DECISION RECORD AND FINDING OF NO SIGNIFICANT IMPACT**  
**ACQUISITION OF REAL PROPERTY IN FORMER TOWNSITE OF RUBY**

A. Recommendation

It is my recommendation that the proposed action be approved and the BLM pursue acquisition of suitable private properties within the former townsite of Ruby. Purchases would be made from willing sellers only, with the goal of obtaining lands whose management would enhance the anadromous fishery values of Salmon Creek. Acquired lands would be managed in accordance with the MOA signed between BLM and BPA on April 13, 2001.

B. Rationale

Pursuant to Section 205 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1761) the BLM is authorized to acquire land and interests in land. Through the MOA, BPA has agreed to fund the purchase of these lands, provided they are managed for fish and wildlife enhancement. The BPA's objective in this process is the acquisition of lands that help mitigate wildlife habitat affected by the development and operation of federal hydroelectric dams in the Columbia River Basin. Because of the anadromous fishery value of Salmon Creek, acquisition of this property would help support BPA's "Restore and Enhance Anadromous Fish Population and Habitat in Salmon Creek Project." For the small amount of acreage involved, the Ruby townsite includes a significant length of Salmon Creek, about 0.75 mile total. The creek here is in excellent condition, having a clean gravel and cobble bed, and a healthy riparian plant community.

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William Schurger  
Realty Specialist

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May 16, 2001  
Date

C. Finding of No Significant Impact

Based on the environmental assessment and other available information, I have determined that the proposed action and approved mitigation measures are adequate. Consideration has been given to all applicable resource values, and the proposed action will not have any significant effects on the quality of the human environment. Therefore, an environmental impact statement is not required to further analyze the environmental effects of the proposed action.

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James F. Fisher  
Field Manager, Wenatchee Resource Area

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May 16, 2001  
Date

D. Decision

The above recommendations are approved as the decision of the Bureau of Land Management on the proposed action.

James F. Fisher  
Field Manager, Wenatchee Resource Area

May 16, 2001  
Date

## I. INTRODUCTION

### A. Background Information and Need for the Proposed Action

This report addresses the proposal by the Bureau of Land Management (BLM) and Bonneville Power Administration (BPA) to acquire available private lands in upper Salmon Creek, within the former townsite of Ruby. The purpose for the acquisitions are to support BPA's "Restore and Enhance Anadromous Fish Population and Habitat in Salmon Creek Project." The BLM and BPA are working together on the project because BLM is a major landowner in upper Salmon Creek, and administers the public land that mostly surrounds Ruby. Therefore, BLM is a logical entity for acquiring and managing other Salmon Creek lands in the general vicinity. The conditions for BPA funding of purchases and guidelines for future management of acquired property were established in a Memorandum of Agreement (MOA), signed between BLM and BPA on April 13, 2001. According to the MOA, the BPA would fund acquisitions of suitable properties, with BLM responsible for acquisition and management of the lands.

### B. Conformance With Land Use Plan

The proposed action is in conformance with the land tenure policy in BLM's Spokane Resource Management Plan (RMP), as amended (December, 1992; see pages 13 and 14). The lands are located within the Okanogan Management Area, as established by the plan.

### C. Relationship to Existing Statutes, Regulations, or Other Plans

Acquisition of lands by BLM is authorized by Section 205 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761). The BPA's authority for the project comes from the Northwest Electric Power Planning and Conservation Act (NPA) of 1980 (16 U.S.C. 839b(h)(10)(A)), and the Bonneville Project Act (16 U.S. C. 838a(d), (e)). The mitigation of wildlife habitat affected by the development and operation of federal hydroelectric dams in the Columbia River Basin is addressed by BPA's Wildlife Mitigation Program Final Environmental Impact Statement (March 1997), the Watershed Management Program Final Environmental Impact Statement (July 1997), and their corresponding Records of Decision (June and August 1997, respectively). In addition to the above, BPA and BLM, Spokane District, have signed a MOA (April 13, 2001), to specifically spell out acquisition and future management criteria for BPA funded land purchases in this area.

### D. Public Involvement

On April 24, 2001, BLM mailed out a two-page notice and map that explained the planned acquisition of property in the former townsite of Ruby. The notice was sent to adjacent landowners and parties having a stake in Salmon Creek fishery enhancement efforts. Included on the mailing list were local, state and federal government entities. A shortened version of the notice was published May 2, 2001 in the Omak-Okanogan County Chronicle, and May 3,

2001 in the Okanogan Valley Gazette-Tribune. The notices provided an opportunity for written public comments on the proposal, with an ending date of May 14, 2001. Only one written response was received to the notice, from an adjacent landowner who wanted to know if BLM was interested in purchasing his property. He also mentioned his support of the project. Four phone calls were received, all from adjacent landowners. Half of the callers were just curious about the project and the other half wanted to know if BLM was interested in purchasing their lots within the townsite.

## II. PROPOSED ACTION AND ALTERNATIVES

### A. Proposed Action

The proposed action is the fee acquisition of private properties within the former townsite of Ruby, from willing sellers. The majority of the available property (about 56 acres) is held by one owner, The Vernon J. Johnson Charitable Remainder Trust. Several other landowners hold lots that are scattered through the former townsite. A vicinity map of the townsite is included in the appendix to this report. Acquisition of the properties would be funded by the BPA, pursuant to the April 13, 2001 MOA between BPA and BLM-Spokane District.

#### *Project Design Features:*

Management of acquired lands would be subject to guidelines contained in the April 13, 2001 MOA between BLM and BPA. Item #10 from the MOA specifies that properties purchased under the agreement will be managed for the primary benefit of fish and wildlife and their habitats, in perpetuity. Within one year of an acquisition, BLM and BPA would jointly complete a baseline Habitat Evaluation Procedure (HEP) to determine quantity and quality of the habitat for the target wildlife species. A draft management plan for purchased tracts would be ready within six months of the HEP results being available.

### B. Alternatives

The alternative to the proposed action is No Action, which is to not acquire any private lands within the Ruby townsite using BPA funds.

## III. AFFECTED ENVIRONMENT

### A. Physical Environment

*General Setting:* The former townsite of Ruby is located approximately 11 miles northwest of Okanogan, Washington, and is reached by traveling up the Okanogan County Salmon Creek road. The townsite is bisected by both this county road and Salmon Creek. Approximately 0.75 mile of Salmon Creek crosses the property. Additionally, the county Peacock Mountain

road intersects the west side of Salmon Creek road near the center of the townsite. The townsite lies in a narrow valley with steep to very steep slopes on each side. The bottom of the valley is not much more than a quarter of a mile wide, and is gently sloping. Both the bottom and the lower sideslopes are included within the platted townsite. On the western side of the valley lies Arlington Ridge; on the east is Happy Hill. Other than a few stone foundations, nothing remains of the former town of Ruby.

*Vegetation:* The townsite includes forest vegetation in the valley bottom with a transition to shrub-steppe on the valley sides. In the valley bottom, the overstory is a combination of Douglas fir/ponderosa pine, with quaking aspen, alder, and some cottonwoods adjacent to Salmon Creek. The understory includes various grasses and shrubs, such as bluebunch wheatgrass and serviceberry, with a variety of woody riparian species adjacent to the stream corridor. Primary species on the valley sides include bluebunch wheatgrass and bitterbrush. Specific vegetation surveys have not been conducted on this property by BLM.

*Wildlife & Fisheries:* Because of its lack of development, the townsite property serves as wildlife habitat for a variety of species. Although specific wildlife inventories have not been undertaken by BLM, a database search indicated that the property has concentrations of mule deer, and is within golden eagle and goshawk territory. The property may also be used by Lewis', white-headed, and pileated woodpeckers. The property is within 1.5 miles of sharptail grouse territory.

The most significant use or value is believed to be that of anadromous fish species. Because fish passage has recently been provided over the irrigation diversion dam at river mile 3.5, it is now feasible for steelhead to use this section of the creek. The portion of Salmon Creek that crosses the townsite is known to have good spawning habitat for anadromous fish (Colville Confederated Tribes Salmon Creek Study, Chris Fisher, 1998; and NRCS Salmon Creek Study, Barry Southerland, 1999). Although adult steelhead could return to Salmon Creek this year from a WDFW release of 5,000 steelhead smolt in 1999, drought induced low water levels combined with the delta fan at the mouth of Salmon Creek (where it enters the Okanogan River) could prevent passage. Steelhead and spring chinook salmon in the upper Columbia River region have both been federally listed as endangered under the Endangered Species Act (ESA), and Salmon Creek has future potential to be declared critical habitat for ESA listed steelhead by the National Marine Fisheries Service (NMFS).

*Cultural Resources:* The properties proposed for acquisition include lots and platted streets of the former town of Ruby. Ruby was the first Okanogan County seat, and was a mining boom town during the early 1890's. The town had numerous buildings and businesses, providing goods and services to a surrounding population estimated at 2,000 to 3,000 people. Its boom was short lived, however, and the town was quickly abandoned. Over time, the remaining buildings and improvements were either destroyed by fire or flood, or carted off. All that remains are a few stone foundations scattered across the landscape.

Because the proposed action involves acquisition of the land, a cultural resource survey of the site has not been performed by BLM. The BLM would conduct Class III Cultural Inventory on acquired lands in the future if activities are proposed that could impact cultural resources.

## B. Land Status

Lands within the townsite of Ruby are privately owned, except for a small portion held by the Washington State Parks and Recreation Commission, in the west-central area of the townsite. Some adjoining lots are owned by the Okanogan County Historical Society. Prior to the acquisition of specific properties, BLM would obtain a title commitment and evaluate existing encumbrances. Title would then be reviewed and approved by a Interior Department Solicitor before purchases are closed.

*Land Uses:* The private and state tracts within the townsite of Ruby are currently used for recreation, open space and historical protection. Near to the east side of the townsite is one recently constructed residence, which has its own electric power generation source. Neither electric nor phone service is available within three miles of Ruby. Public lands adjoining the townsite are used for recreation, wildlife habitat, livestock grazing, watershed protection, and timber and mineral production. Timber on adjoining private land on the southwest side has been recently harvested.

## IV. ENVIRONMENTAL IMPACTS

### A. Proposed Action

Approval of the proposed action would mean the acquisition of private tracts in the former townsite of Ruby, along with establishment of baseline habitat evaluation procedure (HEP) and creation of a plan to guide future management of acquired lands for enhancement of anadromous fishery values. Possible consequences of federal acquisition of these lands could include an economic impact to Okanogan County, and impacts associated with increased use of the property for recreational purposes.

The economic impact would be caused by a loss of tax revenue due Okanogan County from the townsite lots. At current tax rates, this would be a loss of about \$600 per year. Because of the small amount of acres and the high property value, this loss would be only negligibly offset by federal payments in lieu of taxes. Although the federal PILT payment to Okanogan county was \$0.41 per acre in 2000, payments in previous years have averaged closer to \$0.30 per acre.

When examined together with other BLM land tenure adjustments in Okanogan County, both past and current, the cumulative economic effect to the county is believed to be slight. Prior to the passage of the Federal Land Policy and Management Act of 1976, BLM's lands actions in this county mostly involved disposal of land. Upon passage of the act, BLM's mandate

changed to retaining the public lands, and managing them for the public good. In the past ten years, BLM has completed several lands actions that involved both disposal and acquisition of lands in Okanogan County. The BLM is currently processing the Central Washington Assembled Land Exchange (CWALE), which would involve disposal of up to 1,600 acres of scattered public lands in the county. Through this action, BLM would also acquire about 300 acres, directly adjacent to the Ruby townsite property. When these past and current transactions are summed up, BLM will have more acres of public land in the county, but the value of the lands will be about the same. This is because BLM has disposed of smaller acreage high value lands and acquired larger tracts with a lower per acre value. Therefore, the total revenue received by the county from property taxes and PILT payments should stay about the same.

Post acquisition recreational use of the Ruby property could cause impacts such as vegetation and surface disturbance from off highway vehicle use, camping and foot traffic. These types of use could also lead to an increase in litter and dumping, increases in noxious weeds, and possible wildlife harassment. Some of the same impacts occur at present, because the property is easily accessible from the county road. However, recreational and other use could increase once the general public realized the tract was federally owned. The property is being acquired to protect and enhance fishery values; therefore, management actions would be taken to minimize public use impacts. The MOA governing BPA funding of purchases and management of properties here specifically requires that the habitat values of the land not be allowed to decrease over time. Because BLM has a block of lands of about 3,000 acres that surrounds the Ruby townsite, the agency already has a management presence here. The townsite lands also adjoin an existing BLM weed control project area, and can be included in the project.

The following critical elements, not discussed above, have been analyzed and would not be affected by this action: Air and water quality, areas of critical environmental concern, farmlands, floodplains, environmental justice, wastes (hazardous or solid), invasive non-native species, wetlands/riparian zones, wild and scenic rivers, wilderness values, and water quality (ground and surface).

## B. Alternatives

If the No Action Alternative is pursued, privately owned tracts within the townsite of Ruby would not be acquired and protected for their fishery and wildlife values. They would continue in private ownership and be subject to the full range of activities allowed under applicable laws and Okanogan County zoning. Therefore, it is almost certain that much of the land would see future development for rural homesites. The largest private tract within the townsite comprises about 56 acres, and is held by a trust whose desire is to sell the entire property as soon as possible. Although they have considered selling off individual camping lots (which would not allow placement of permanent structures), if the property is not acquired by the United States, they are planning to reconfigure the tract and sell off lots suitable for individual homesites. Possible changes to the site from this type of development would include vegetation removal



and surface disturbance due to residential construction and human occupancy. These activities could in turn lead to degradation of this portion of the stream corridor and impacts to the anadromous fishery value of Salmon Creek.

V. LIST OF PREPARERS AND STAFF MEMBERS CONSULTED

Bill Schurger - Realty Specialist, Wenatchee Resource Area

Kathleen Helm - Planner and Environmental Coordinator, Spokane District

Jim Fisher - Field Manager, Wenatchee Resource Area

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## APPENDIX

1 .....	1:24,000 Topographic Map
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